IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 18914 of 2007(B)

PETITIONER:

C.R. RAJEEV (CASUAL CONTIGENT EMPLOYEES IN KOCHI CORPORATION), CHITTEKODATH HOUSE, ELAMAKKARA, ERNAKULAM DISTRICT.

BY ADV. SMT.T.B.MINI

RESPONDENTS:

1. DIRECTOR, URBAN AFFAIRS DEPARTMENT, SECRETARIATE, THIRUVANANTHAPURAM.

2. THE COCHIN CORPORATION, REPRESENTED BY ITS SECRETARY, OFFICE OF THE COCHIN CORPORATION, ERNAKULAM.

3. HEALTH OFFICER, COCHIN CORPORATION, ERNAKULAM.

BY ADV. SRI.K.ANAND, SC, COCHIN CORPN.
GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.18914/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 COPY OF THE CERTIFICATE ISSUED BY THE HEALTH INSPECTOR TO THE PETITIONER.

EXT.P2 COPY OF THE REPLY ISSUED BY THE HEALTH INSPECTOR TO THE PETITIONER DTD 18.12.1995.

EXT.P3 COPY OF THE LETTER ISSUED BY THE HEALTH INSPECTOR TO THE PETITIONER DTD 1.8.03.

/TRUE COPY/

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V. GIRI, J.

W.P.(C).NO.18914 OF 2007-B

Dated this the 7th day of December, 2007.

JUDGMENT

The petitioner claims to be working as a Casual Contingent Employee in the Kochi Corporation. According to him, he worked as CLR worker in the Corporation in the year 1986. By Ext.P3 order, his name came to be included in the list of CLR workers with effect from 24.8.2002. The petitioner claims that he must be included with effect from 1986. Ext.P3 order was issued in the year 2003. If Ext.P3 is construed as rejecting the petitioner's claim for being included in the CLR List with effect from 1986, then the petitioner should have challenged the same within a reasonable time. As a matter of fact, Ext.P3 has not been challenged even in this writ petition. According to the petitioner, he had come across Ext.P3 only recently.

2. In the statement filed by the respondents, the stand taken is that the petitioner is only a daily wages employee. This does not seem to be correct in the light of Ext.P3.

3. In the result, after hearing both sides the writ petition is disposed of directing the 2nd respondent to consider the petitioner's

case for inclusion in the list of CLR workers with effect from 1986 , treating him as CLR worker on the basis of Ext.P3. The petitioner shall make a representation in this regard within one month from today in which case, it shall be considered and disposed of within four months thereafter.

V. GIRI, JUDGE.

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